



City of Redmond
Notice of Decision

June 27, 2013

Redwood Family Church
c/o Pastor Todd Puckett
11500 Red-Wood Road
Redmond, WA 98052

Scott Morrow
SHARE/WHEEL
Post Office Box 2548
Seattle, WA 98111

SUBJECT: **Short Term Temporary Use Permit for Share/Wheel Tent City at the Redwood Family Church**
File Number LAND-2013-00929

Location: *11500 Red-Wood Road, Parcel Number: 352605-9094*

Dear Pastor Puckett and Mr. Morrow:

As Code Administrator for the City of Redmond I have reviewed and approved your proposal. The approval is subject to the conditions of approval for this permit.

Approval of this application shall be for no more than 110 days, approximately from July 13, 2013 to no later than October 30, 2013 and is subject to the conditions attached within this letter. Once the approval period has expired this approval shall terminate and the application shall be void and deemed withdrawn.

Copies of this decision will be mailed to all parties of record associated with this permit. Decisions of the Code Administrator may be appealed to the Hearing Examiner pursuant to the Redmond Community Development Guide by filing an appeal with the Planning Department within 14 calendar days of the date of this letter. Appeal forms are available at the Permit Center or on line at www.redmond.gov.

A complete appeal form must be submitted on or before the last day of the appeal period. If you have any questions, please contact Steven Fischer, Principal Planner, at sfischer@redmond.gov or (425) 556-2432. Should you have any questions regarding the conditions of this permit please contact the planner above.

Sincerely,

A handwritten signature in cursive script that reads "Robert G. Odle".

ROBERT G. ODLE
Planning Director
Department of Planning and Community
Development

Attachments and Enclosures:

- Attachment A – Conditions of Approval
- Attachment B – Finds of Fact

CC: Parties of Record

ATTACHMENT A

APPROVAL CONDITIONS

This attachment identifies the Conditions that must be met for your proposal. Please be advised that unless otherwise stated herein, the proposal shall comply with all applicable regulations, including, but not limited to, the Redmond Comprehensive Plan, and the Redmond Community Development Guide. If you have questions regarding these conditions, please contact the staff person for that City department. The contact information is listed under each Department/Division title.

I. Approved Plan Set and Supporting Material

- A. The following table identifies those materials that are approved with conditions by this Notice of Decision. The "Date Received" is the date that is stamped as "Received" by the Redmond Permit Center.

<u>Item</u>	<u>Date Received</u>	<u>Notes</u>
Conceptual Site Plans Exhibit A	5/28/2013	<i>and as conditioned herein.</i>
Code of Conduct Exhibit B	5/28/2013	<i>and as conditioned herein</i>

II. Approval Conditions

- 1) The approval shall be for a maximum of 110 days beginning on approximately July 13, 2013 and allow up to 100 persons to be housed at this location.
- 2) The encampment area shall be located on the pervious surface area located east of the church building as depicted in the site plan that was submitted with the application, see attached Exhibit A. All Tent City facilities shall be screened with fencing.
- 3) The placement of tents, portable toilets, or other such non-motorized equipment shall not be placed within the parking lot.
- 4) No more than five (5) vehicles associated with Tent City shall be parked within the church surface parking lot. No vehicles associated with Tent City will be parked within the surrounding neighborhoods.
- 5) The use shall comply with all applicable standards of the Seattle-King County Health Department.
- 6) The applicant shall obtain, prior to occupancy of the site, all applicable City of Redmond permits, licenses and other approvals (i.e., business license, building permit, administrative approvals, etc.).
- 7) The applicant shall contact the City of Redmond Development Services Center and obtain, if necessary, a Temporary Electrical Power Permit. Please contact the City of Redmond at 425-556-2473.
- 8) No children under the age of 18 are allowed to stay overnight at the temporary encampment. If a child under the age of 18 attempts to stay overnight at Tent City then the encampment manager shall contact SHARE/WHEEL and SHARE/WHEEL shall contact Child Protective Services.

- 9) Tent City 4 shall maintain a resident log for all members who are residing at the encampment while it is located at the Redwood Family Church site. Such log shall be kept onsite at the encampment and all encampment residents shall be asked to provide a reasonable form of identification when signing the log.
- 10) Tent City 4 shall obtain warrant and sex offender checks from the appropriate agency for all new prospective encampment residents. Tent City 4 shall report any positive results of sex offenders or warrant checks to the Redmond Police Department.
- 11) The residents of Tent City 4 shall abide by the Code of Conduct and attached hereto as Exhibit B.
- 12) The encampment shall observe a quiet time each evening from 9pm to 6am. The encampment shall be free of loud conversation and other loud noise.
- 13) The site occupied by Tent City shall be left free of debris, litter, or other evidence of the temporary use upon completion of removal of the use.

ATTACHMENT B

Findings of Fact

BACKGROUND

Applicant: Pastor Todd Puckett
Redwood Family Church
11500 Red-Wood Road
Redmond, WA 98052

Scott Morrow
Share/Wheel
Post Office Box 2548
Seattle, WA 98111

Application Date: File LAND-2013-00929, May 28, 2013

Date Application Determined Complete/Vested: File LAND-2013-00929, May 28, 2013

Project review authority and procedures: Pursuant to the Redmond Zoning Code (RZC) Section 21.46, Temporary Uses, certain temporary uses are intended to be permitted when they are found to be consistent with the Zoning Code and when safe and compatible with adjacent uses. Temporary Uses are classified as a Type I Permit (RZC Section 21.76.050) which establishes the Planning Director (Code Administrator) as the decision maker for this permit.

Code Administrator: Pursuant to RMC Chapter 2.09, Code Administrator the Code Administrator shall “enforce and administer the Redmond Zoning Code unless otherwise specified” and to “investigate complaints and initiate appropriate action.”

Project Location/Description: Redwood Family Church is located at 11500 Red-Wood Road at the southeast corner of the intersection of Red-Wood Road and NE 116th Street. The church proposes to host Tent City 4 for approximately 94 days beginning on July 13, 2013 and provide shelter for up to 100 adults.

SHARE/WHEEL will manage Tent City 4 and provide tent shelters and logistical support including a kitchen, common area with library and TV, shower, dumpsters, toilets, donation management, bicycles, bus and taxi passes. Dumpsters will be emptied twice a week and portable toilets will be emptied three times a week. Redwood Family Church will provide access to water, and grey water drain for the shower, and access to electrical power.

Neighborhood: The Redwood Family Church is located within the North Redmond Neighborhood as identified within the 2011 Comprehensive Plan.

Land Use Designation: The land use designation is Single Family Urban, as described in Comprehensive Plan Policy LU-33. This designation allows for residential densities between four and eight units per gross acre.

Zoning Designation: The site is zoned R-4 and is referred to as Single Family Urban Residential.

Surrounding Land Use and Zoning: The site is currently developed containing the existing Redwood Family church, administrative offices, and surface parking areas. Surrounding land use and zoning are as follows:

	<u>Zoning</u>	<u>Land Uses</u>
Northwest	R-4	Single-Family Residential
North:	R-4	Single-Family Residential
Northeast	R-4	Single-Family Residential
East:	R-4	Single-Family Residential
Southeast	R-4	Single-Family Residential
South:	R-4	Single-Family Residential
Southwest	R-4	Single-Family Residential
West:	R-4	Single-Family Residential and the Armenian Church

Access: Vehicular access to the existing church on this site is currently provided by means of a single paved driveway out to NE 116th Street. This entry is connected to a surface parking lot located along the west and southern portions of the church building.

Topography: The site generally slopes from east to west with approximately 20 feet of grade drop within the 154,576 square foot property.

Vegetation: The site consists of a tree lined drive from NE 116th Street leading to the church building and perimeter landscaping. A stand of evergreen trees exist along the southern property line and a row of evergreen trees is located along the eastern property line extending north from the southeast property corner approximately 210 feet providing further buffering. A second planting of evergreen trees is also located along Red-Wood Road extending north from the southwest corner of the

property approximately 275 feet. Lawn and a combination of native and ornamental plant material surround the church buildings on this site.

Public Input: The Redmond Zoning Code, Section 21.46.030D does require a public comment period for temporary encampments. The form of the notice shall include a mailed and posted Notice of Application, the posting of a Major Land Use Action Sign on the encampment site, and a required neighborhood meeting. The Major Land Use Sign was installed and the Notice of Application was mailed to all property owners within 500-feet of the project site and posted on June 3, 2013. On June 24, 2013 the required neighborhood meeting was held at the Church of the Holy Cross. Approximately 30 individuals attended this meeting. Several questions were asked by the public including: how the permit process works; how Share/Wheel is operated; what are the rules of the encampment; frequency of Tent City coming to Redmond; concern about noise coming from the encampment; crime and personal safety in neighborhoods with Tent City; and the loss of property value to surrounding properties due to Tent City. During the 21-day public comment period provided through the Notice of Application, the City of Redmond has received no written/mailed comments and 27 email from 18 individuals on this application. Three of the emails were supportive of the application. The remainder of the email expressed concerns such as: noise, lack of public transportation, concerns about increased crime, loss of property value, not an appropriate use in a residential neighborhood, and the frequency of Tent City being in Redmond.

V. TEMPORARY USE PERMIT STANDARDS

Temporary Use Permits are a mechanism by which the City may authorize certain temporary uses when they are consistent with the Development Guide and when they are safe and compatible with adjacent uses. The following section discusses the Redwood Family Church's application compatibility with the Temporary Use Permit decision criteria.

1. Allowed Use:

The RZC restricts the type of uses which may be authorized as a temporary use. Section 21.46.020.E.6 allows temporary encampments as an allowed temporary use with the provision that the application complies with the conditions contained in this section that address encampments.

2. Decision Criteria:

The decision criteria for reviewing temporary use permits are located in RZC Section 21.46.030– Decision Criteria. The Administrator may approve or approve with conditions a temporary use permit after consultation with all other applicable city departments and other agencies only when all of the following applicable determinations can be made:

- (a) The temporary use will not impair the normal, safe, and effective operation of a permanent use on the same site.

The proposed tent city encampment will not impact the normal operation of the Redwood Family Church. The encampment will take place on the lawn portions of the site and will

not cause the loss of on-site vehicular parking except for the five parking stalls which represent approximately eight percent of the 61 available on site parking.

- (b) The temporary use will not significantly impact public health, safety or convenience, or create traffic hazards or congestion, or otherwise interrupt or interfere with the normal conduct or uses and activities in the vicinity.

The proposed tent city will not significantly impact the Church's ability to use its parking lot and thus create a parking problem within the surrounding neighborhood.

SHARE/WHEEL will provide portable toilets, showers, and dumpsters for the members of the encampment. Dumpsters are to be emptied twice a week and the portable toilets emptied three times a week. The Redwood Family Church will provide access to water and electricity as well as the disposal of water from the showers.

- (c) The use and associated structures will be conducted and used in a manner compatible with the surrounding area.

As approved, the tent city encampment shall be located to the east and northeast of the existing church building which will help provide screening from Red-Wood Road. Additional screening will be provided by existing trees along the eastern and western property lines as well as screening around the perimeter of the encampment that will be installed as a condition of approval. The use as proposed and conditioned will be compatible with the uses in the general vicinity. Churches are permitted in all residential zones as a conditional or special use. Providing social services to the community, such as establishing food banks or caring for the homeless, is a typical associated use for many churches. As conditioned, this proposal will be compatible with the surrounding residential uses.

2. General Conditions.

- (a) A temporary use conducted in a parking facility shall not occupy or remove from availability more than 25 percent of the spaces required for the permanent use.

The tent city encampment will not take place within the parking area of the Redwood Family Church. In order to provide parking of vehicles for the residents of the encampment, up to five (5) parking spaces have been allowed through this permit to be used by the residents of Tent City. This proposal meets this condition.

- (b) Each site occupied by a temporary use must provide or have available sufficient parking and vehicular maneuvering area for customers or other users. Such parking need not comply with RZC 21.40.010.G, Parking and Storage of Recreational, Utility, and Commercial Vehicles and Vessels in Residential Neighborhoods, but must provide safe and efficient interior circulation and ingress and egress to and from public rights-of-way.

All activities of the tent city encampment will take place outside of the existing surface parking lot that serves the Redwood Family Church. Additionally, the residents staying at the tent city encampment typically have between two to five vehicles. The parking of five

(5) cars within the church's surface parking lot will not adversely impact the parking of churchmembers. This proposal meets this condition.

- (c) The temporary use shall comply with all applicable standards of the Seattle-King County Health Department.

The Short Term Temporary Use shall be conditioned that it meet all applicable Health Department standards. The Seattle King County Health Department will periodically monitor the site as they have done with previous encampments.

- (d) No temporary use shall occupy or use public parks in any manner unless specifically approved by the Parks Department.

The proposal calls for the temporary use to be located on private property owned by the Redwood Family Church. No activity is requested to be held within, nor is any activity permitted within any public park or right-of-way.

- (e) All temporary uses shall obtain, prior to occupancy of the site, all applicable City of Redmond permits, licenses and other approvals (i.e., business license, building permit, administrative approvals, etc.).

The Short Term Temporary Use is the only City land use approval necessary. The applicant shall contact the City of Redmond Development Services Center and obtain, if necessary, a Temporary Electrical Power Permit and any other permit needed.

- (f) The applicant for temporary use shall supply written authorization from the owner of property on which the temporary use is located.

The co-applicant, in this case, is the property owner. The proposal meets this condition.

- (g) Each site occupied by a temporary use shall be left free of debris, litter, or other evidence of the temporary use upon completion of removal of the use.

The project shall be conditioned that the site be free of any litter upon completion of the temporary use. Following the encampment at St. Jude's Church in 2007, 2009, 2011, and 2013 the site was left clean of debris and litter.

- (i) All materials, structures, and products related to the temporary use must be removed from the premises between days of operation on the site, provided that materials, structures, and products related to the temporary use may be left on-site overnight between consecutive days of operation. By virtue of having been in consistent operation prior to the existence of the ordinance codified in this chapter, the open air craft and farmers market operation, commonly known as the Saturday Market, shall be allowed to store structures on-site between weekly activity of the market, but such structures must be reviewed by the Administrator annually and permission to leave them in place between market sessions

may be denied if they become a visual blight, safety, or health problem. They shall be removed at the end of the permit period.

The co-applicants shall remove or cause to be removed all material and structures associated with this temporary use from the site upon the conclusion of the Tent City encampment.

- (j) Additional conditions may be established as necessary to ensure land use compatibility and to minimize potential impacts on nearby uses. These include, but are not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirement for screening or enclosure, and guarantees for site restoration and cleanup following temporary uses.

The Administrator has placed additional conditions on this application to ensure compatibility with the surrounding properties and address concerns of public safety.

3. Conditions Specific to Temporary Encampments.

- (a) The applicant shall apply for a temporary use permit at least 30 days before the planned opening of the temporary encampment.

The application was filed on May 28, 2013 or 45 days prior to the opening of Tent City. This condition has been met.

- (b) The encampment shall be limited to a maximum of 100 persons. After the encampment reaches its 100 person capacity, individuals who arrive after sundown (and meet all screening criteria) will be allowed to stay for one night, after which they will not be permitted entry until a vacancy is available. Such occurrences shall be logged and reported to the City on a weekly basis.

The request is for no more than 100 residents. This condition has been met.

- (c) A temporary encampment shall be limited to a maximum of 110 days within any 365-day time period at one location. This 110-day time limit shall control over the six-month time limit specified for short-term temporary uses in RZC 21.46.020.A.

The request is for the Tent City encampment is for approximately 94 days. The Redwood Family Church has never hosted an encampment prior to this application. This condition has been met.

- (d) The encampment or the parking of any vehicles associated with the application shall not displace the host site's parking lot in such a way that the host site no longer meets the minimum or required parking of the principle use as required by code or previous approvals unless an alternative parking plan has been approved by the Administrator.

The tent city encampment will not take place within the parking area of Redwood Family Church. In order to provide parking of vehicles for the residents of the encampment, up to five (5) parking spaces have been allowed through this permit to be used by the residents of Tent City. This condition has been met.

- (e) The temporary encampment managing organization shall maintain a resident log for all who are residing at the encampment. Such log shall be kept onsite at the encampment. Prospective encampment residents shall be asked to provide a reasonable form of identification when signing the log.

The project has been conditioned to require that a log meeting these standards be maintained while Tent City 4 is located at the Redwood Family Church site.

- (f) The Planning Director may impose additional conditions for the purpose of maintaining the health, safety, and welfare of people in and around the temporary encampment, relating but not limited to any or all of the following:
 - (i) Encampment resident code of conduct;
 - (ii) The presence of minors in the encampment;
 - (iii) The provision of transportation to/from the encampment; and,
 - (iv) Setbacks and screening.

The permit includes conditions of that the code of conduct be enforced, that no minors are permitted, and that the areas of the encampment be screened.

- (4) Temporary Encampments shall be processed as a Type I Permit with the following modifications
 - (a) A Notice of Application shall be mailed and posted on-site meeting the standards outlined in RZC 21.76.080.B, Notice of Application.

A notice was mailed to all property owners within 500 feet of the site and the notice was posted on the Redwood Family Church site.

- (b) A minimum of one Major Land Use Action Sign shall be posted on-site meeting the requirements outlined in RZC Appendix 6, *Extraordinary Notice Requirements*.

Notice was posted on site and at City Hall.

- (c) A minimum of one Major Land Use Action Sign shall be posted onsite meeting the requirements outlined in 20F.30.40-030(4)(c).

Two Major Land Use Action Signs were posted at the Redwood Family Church property on June 3, 2013.

- (d) Prior to the decision on the application for a Temporary Encampment, the Administrator shall require that a neighborhood meeting be held.

A Public Comment meeting was held on June 24, 2013 at the Church of the Holy Cross. Approximately thirty individuals attended this meeting. City staff explained the application process, public comment and appeal opportunities, and the proposed site configuration for Tent City at the Redwood Family Church.

A Notice of Application shall be mailed and posted on-site meeting the standards outlined in RZC 21.76.080.B, Notice of Application.

CONCLUSIONS IN SUPPORT OF RECOMMENDATION

The Redwood Family Church Tent City application appears to satisfy the Redmond Community Development Guide's standards for Temporary Uses provided that the additional conditions placed on this proposal are met.